

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AARON ROBINSON, #858448,

Plaintiff,

File no: 1:20-cv-449

v.

HON. ROBERT J. JONKER

KEVIN BREGE,

Defendant.

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on October 19, 2021 (ECF No. 72). The Report and Recommendation was duly served on the parties. No objections have been filed under 28 U.S.C. § 636(b)(1)(C).

ACCORDINGLY, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 72) is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that Defendant's motion for summary judgment (ECF No. 64) is **DENIED** on Plaintiff's claim that Defendant was deliberately indifferent to Plaintiff's medical needs by confiscating his crutches, and **GRANTED** as to Plaintiff's shackling claim and on Plaintiff's official capacity claim.

IT IS FURTHER ORDERED that Defendant is denied qualified immunity.

IT IS FURTHER ORDERED that Plaintiff's motion for summary judgment (ECF No. 66) is **DENIED**.

Date: November 23, 2021

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE